

November 24, 2009

TO: Members of the Transportation Policy Committee

FROM: Mayor Marie Lopez Rogers, Avondale, Chair

SUBJECT: NOTIFICATION OF MEETING AND TRANSMITTAL OF TENTATIVE AGENDA

Meeting - 4:00 p.m.
Wednesday, December 2, 2009
MAG Office, Suite 200 - Saguaro Room
302 N. First Avenue, Phoenix

A meeting of the Transportation Policy Committee is scheduled for the time and place noted above. Members of the Committee may attend the meeting either in person, by videoconference, or by telephone conference call. As determined at the first meeting of the Committee, proxies are not allowed. Members who are not able to attend the meeting are encouraged to submit their comments in writing, so that their view is always a part of the process.

For those attending in person, please park in the garage under the building. Bring your ticket to the meeting, parking will be validated. For those using transit, the Regional Public Transportation Authority will provide transit tickets for your trip. For those using bicycles, please lock your bicycle in the bike rack in the garage.

Pursuant to Title II of the Americans with Disabilities Act (ADA), MAG does not discriminate on the basis of disability in admission to or participation in its public meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting Valerie Day at the MAG office. Requests should be made as early as possible to allow time to arrange the accommodation.

Refreshments and a light snack will be provided. If you have any questions, please contact Eric Anderson, MAG Transportation Director, or Dennis Smith, MAG Executive Director, at (602) 254-6300.

c: MAG Regional Council
MAG Management Committee

**TRANSPORTATION POLICY COMMITTEE
TENTATIVE AGENDA
December 2, 2009**

		<u>COMMITTEE ACTION REQUESTED</u>
1.	<u>Call to Order</u>	
2.	<u>Pledge of Allegiance</u>	
3.	<u>Call to the Audience</u> An opportunity will be provided to members of the public to address the Transportation Policy Committee on items not scheduled on the agenda that fall under the jurisdiction of MAG, or on items on the agenda for discussion but not for action. Citizens will be requested not to exceed a three minute time period for their comments. A total of 15 minutes will be provided for the Call to the Audience agenda item, unless the Transportation Policy Committee requests an exception to this limit. Please note that those wishing to comment on agenda items posted for action will be provided the opportunity at the time the item is heard.	3. Information.
4.	<u>Approval of Consent Agenda</u> Prior to action on the consent agenda, members of the audience will be provided an opportunity to comment on consent items that are being presented for action. Following the comment period, Committee members may request that an item be removed from the consent agenda. Consent items are marked with an asterisk (*).	4. Recommend approval of the Consent Agenda.

ITEMS PROPOSED FOR CONSENT*

*4A.	<u>Approval of the October 21, 2009, Meeting Minutes</u>	4A. Review and approval of the October 21, 2009, meeting minutes.
*4B.	<u>Revisions to the Arterial Life Cycle Program Policies and Procedures</u> In 2004, MAG initiated the development of the Arterial Life Cycle Program (ALCP) to provide management and oversight for the implementation of the arterial component of the Regional Transportation Plan (RTP). In 2005, the	4B. Recommend approval of the proposed changes to Section 350 of the ALCP Policies and Procedures.

Regional Council approved the ALCP Policies and Procedures ("Policies") to direct the implementation of the arterial street projects in an efficient and cost-effective manner. On April 22, 2009, the Regional Council approved revisions and refinements to the Policies. Since the approval, MAG member agencies have expressed concerns about the policies regarding ALCP project savings and programming the ALCP when a deficit of revenue occurs. On September 3, 2009, the ALCP Working Group met to discuss these concerns and other issues regarding the definition of a completed project for the Regional Area Road Fund (RARF) Closeout and data issues encountered during the annual update process. The Transportation Review Committee and the Management Committee recommended approval. A memorandum outlining the issues discussed, the current policies, and any recommendations made by the ALCP Working Group and a draft of the proposed revisions to the ALCP Policies and Procedures are attached.

***4C. Project Changes – Amendments and Administrative Modifications to the FY 2008-2012 MAG Transportation Improvement Program**

The FY 2008-2012 Transportation Improvement Program and Regional Transportation Plan 2007 Update were approved by the MAG Regional Council on July 25, 2007. Since that time, there have been requests from member agencies to modify projects in the programs. Requested project changes include funding changes and new projects to be funded with ARRA funds, and a number of project changes that relate to the approval of conformity. The Transportation Review Committee (TRC) and the Management Committee recommended approval of projects on pages 1-2 of the attachment. The projects on pages 3-4 of the attachments titled New Requests, are provided for the first time at the Transportation Policy Committee. Please refer to the enclosed material.

4C. Recommend approval of amendments and administrative modifications to the FY 2008-2012 Transportation Improvement Program, and as appropriate, to the Regional Transportation Plan 2007 Update.

*4D. American Recovery and Reinvestment Act (ARRA) Monthly Status Report

A Status Report on the American Recovery and Reinvestment Act (ARRA) funds dedicated to transportation projects in the MAG region is provided. This report covers the status of project development as of November 24, 2009. It reports on highway, local, transit, and enhancement projects programmed with ARRA funds and the status of project development milestones per project. Please refer to the enclosed material.

4D. Information.

ITEMS PROPOSED TO BE HEARD

5. Reallocation of Unused Local/MPO American Recovery and Reinvestment Act (ARRA) Funds Policy Options

Through the MAG committee process, discussions have been held regarding the anticipated unobligated Local/MPO ARRA funds due to low project cost bids and projects not obligating to meet the March 2, 2010, federal deadline. The research and analysis for this topic have focused around policy options of: providing additional ARRA funds for existing local ARRA projects, however, no increase in scope would be allowed; reducing the local match, but not below the minimum set by MAG policy, for other federally funded projects that would obligate by the deadline; funding other local projects in the region that are eligible for ARRA funds that could obligate by the deadline; transferring funds to transit; and transferring funds to ADOT. The Transportation Review Committee (TRC) met on October 29, 2009 and on November 13, 2009, to review and discuss programming and policy analysis related to programming anticipated unused ARRA funds and recommended moving forward with a policy option as noted in the committee action requested. The MAG Management Committee concurred with the recommendation of the TRC. Please refer to the enclosed material.

5. Recommend approval that any unobligated American Recovery and Reinvestment Act (ARRA) Local funds due to either projects not obligating or project cost savings, are to be programmed at the local discretion first, and may remain ARRA funds or may be exchanged with the Arizona Department of Transportation (ADOT) for ADOT Surface Transportation Program (STP) funds. ADOT would then use the ARRA funds on highway projects in the MAG region and ADOT will transfer an equivalent amount of ADOT STP funds that can be used by MAG members on local federally funded projects. If applicable, the local agency may use project cost savings from their own original ARRA allocation to lower the 30 percent local cost share on projects programmed under the 70/30 cost share policy.

6. Revision of Highway Projects to Be Funded with American Recovery and Reinvestment Act Funds

On September 30, 2009, the MAG Regional Council approved reprioritizing the American Recovery and Reinvestment Act (ARRA) Highway project list based on the ability to obligate. Since that time, highway projects have continued to move forward with advertising, bids, and contract awards. There have substantial differences in the amount of ARRA Highway funds programmed and the bid/contract award amount. The current project cost savings total \$2.36 million. Fourteen projects either programmed with ARRA, or are on the project change sheet (separate agenda item) to be funded with ARRA, total \$127 million. It is anticipated that cost savings will continue, and the region will need to add more highway projects to the list to use project savings of ARRA Highway funds. It is recommended to add the SR-143 project at \$35.1 million to the approved ARRA Highway project list to be funded based on the ability to obligate. The Management Committee recommended approval. Please refer to the enclosed material.

7. Additional Transit Projects to Be Funded with American Recovery and Reinvestment Act Funds

The American Recovery and Reinvestment Act (ARRA) directed \$66.4 million to transit projects in the MAG region. The ARRA legislation allows up to 10 percent of the funds to be directed toward operations. MAG initially programmed the ARRA transit funds to regional projects in March 2009 with subsequent changes and modifications. Recently, the bids for transit projects have been coming in under the programmed costs, which result in available ARRA transit funds that need to be programmed. The Regional Public Transportation Authority (RPTA) Board met on November 19, 2009 and recommended approving priority guidelines, the methodology by which operating and preventive maintenance funds are allocated to Bus, Rail and ADA, and to amend the MAG 2008-2012 TIP to include operating and ADA assistance. This recommendation results in 11 projects to be

6. Recommend adding the SR-143 project to the American Recovery and Reinvestment Act Highway project list to be funded based on the ability to obligate.

7. Information, discussion, and possible recommendation to approve the RPTA recommendation to add operating and ADA assistance projects to the MAG 2008-2012 TIP.

added to the MAG 2008-2012 TIP, which is reflected on a separate agenda item, Project Changes – Amendments and Administrative Modifications to the FY 2008-2012 MAG Transportation Improvement Program. Please refer to the enclosed material.

8. Solicitation of Names to Submit to the Speaker of the House to Fill a Vacancy on the Transportation Policy Committee

With the passage of Proposition 400 on November 2, 2004, the President of the Senate and the Speaker of the House of Representatives were authorized to each appoint three business members to the Transportation Policy Committee (TPC). In January 2007, the Speaker of the House of Representatives appointed Mr. Eneas Kane, Executive Vice President and Chief Operating Officer for DMB Properties, to a term on the TPC that ends on December 31, 2012. Mr. Kane recently notified the Speaker and MAG that he will be resigning from the TPC effective December 31, 2009. According to state law, the Chairman of the Regional Planning Agency may submit names to the Speaker for consideration in appointing a member representing regionwide business to fill the vacancy. On October 13, 2009, a memorandum was sent to the Regional Council requesting that possible names for consideration be submitted to MAG by November 20, 2009. It is anticipated that input on names submitted will be provided at the December 2, 2009, TPC meeting and a recommendation made by the Regional Council at the December 9, 2009, meeting. Please refer to the enclosed material.

9. Request for Future Agenda Items

Topics or issues of interest that the Transportation Policy Committee would like to have considered for discussion at a future meeting will be requested.

10. Adjournment

8. Information, discussion, and input.

9. Information and discussion.